

DOCKET NO: S1022.80201US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pierrick Descure
Serial No: 09/361,700
Confirmation No: 5850
Filed: July 27, 1999
For: IMAGE SENSOR WITH A PHOTODIODE ARRAY

Examiner: Gene M. Munson
Art Unit: 2811

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 18th day of May, 2004.


Eileen MacKenzie

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ADVISORY ACTION

Sir:

In response to the Advisory Action mailed May 4, 2004, Applicant respectfully requests reconsideration, and submits the following remarks.

I. Claim Amendments

The Advisory Action includes an assertion that the proposed claim amendments, included in the amendment mailed March 8, 2004, raise new issues that would require further consideration and/or search. Applicant respectfully disagrees.

As stated in the amendment mailed March 8, 2004, the amendments to claim 1 have been made in response to the comments found on page 2 of the Office Action mailed July 7, 2003 relating to the thickness limitations of claims 1 and 30. In particular, the Office Action mailed July 7, 2003 proposed that the "determined thickness" of sub-arrays in claim 1 could all be the same, as compared to claim 30. The amendments mailed March 8, 2004 merely clarify this

issue. In particular, the language of claim 1 prior to the amendment mailed march 8, 2004, included wording such as “the determined thickness of said at least one insulating layer and said at least one conductive layer coating the *respective* sub-array determining the *respective* color of light that is interferentially filtered and provided to the *respective* sub-array.” The amendments to claim 1 mailed march 8, 2004 clarify that the thicknesses are different for the respective sub-arrays. Dependent claim 30 specifies, among other things, that the different determined thicknesses of the sub-arrays include an insulating layer of different determined thickness.

Therefore, the clarifying amendments to claim 1 do not raise new issues that would require further consideration and/or search. Support for the amendments may be found, for example, in Figure 2 of the application and the corresponding description.

The amendments to dependent claims 31-34 are also clarifying amendments, and do not raise issues of new matter. In particular, claims 31-34 have been amended in response to the comments on page 2 of the Office Action mailed July 7, 2003. Specifically, Applicant has clarified that the effective capacitance of the photodiode is increased. Support for these amendments can be found, for example, on page 3, lines 15-18 of the written description.

Claim 31 has also been amended in response to the comments on page 2 of the Office Action mailed July 7, 2003 pertaining to the conductive layer.

II. Information Disclosure Statement

The Information Disclosure Statement submitted March 8, 2004 made reference to U.S. Pat. No. 5,580,701 to Lur et al. The reference was not considered by the Examiner since a copy of the reference was mistakenly not supplied. Applicant has hereby submitted a new Information Disclosure Statement, with a copy of said patent.

Additionally, the Information Disclosure Statement mailed March 8, 2004, was signed by the Examiner and returned in attachment with the Advisory Action mailed May 4, 2004. On the signed version of the Information Disclosure Statement, the Examiner has indicated that a translation of cited references 2 and 3 was not provided. Applicant merely wishes to clarify, for the record, that both references are in English, and therefore a translation was not required.

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CONCLUSION

In view of the foregoing remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
Pierrick Descure, Applicant

By: 

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Docket No. S1022.80201US00
Date: May 18, 2004



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Sir:

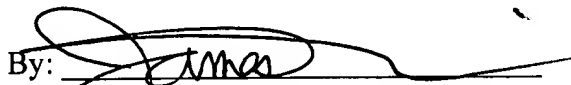
Transmitted herewith are the following documents:

- ☒ Response to Advisory Action
- ☒ Information Disclosure Statement and PTO Form 1449
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Pierrick Descure, Applicant

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